

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY SCOTT MCCORKLE, *on behalf of
himself and all others similarly situated,*

Plaintiff,

-against-

FUNDERA INC.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/15/2024

24-cv-5115-MKV

ORDER OF DISMISSAL


MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter, filed by Defendant, stating that the parties have reached a settlement in principle [ECF No. 6]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by September 15, 2024. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

The Court will not retain jurisdiction to enforce the settlement agreement, as the Court's Individual Rules make clear.

SO ORDERED.

Date: August 15, 2024
New York, NY



MARY KAY VYSKOCIL
United States District Judge